

Rules Adopting Title 19
Hawaii Administrative Rules

August 8, 2014

1. Chapter 148 of Title 19, Hawaii Administrative Rules, entitled "Hawaii Driver's License Reciprocity for Foreign Countries" is adopted to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 19
DEPARTMENT OF TRANSPORTATION

SUBTITLE 5
MOTOR VEHICLE SAFETY OFFICE

CHAPTER 148

HAWAII DRIVER'S LICENSE RECIPROCITY
FOR FOREIGN COUNTRIES

§19-148-1	Purpose
§19-148-2	Definitions
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§19-148-4	Foreign countries with an evaluation by a recognized agency
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§19-148-6	Severability

§19-148-1 Purpose. The purpose of this chapter is to ensure that the driver's license testing standards of a foreign country are equivalent to those of Hawaii before allowing driver license reciprocity. [Eff] (Auth: HRS §286-11) (Imp: HRS §286-11)

§19-148-2 Definitions. Unless the context clearly indicates otherwise, as used in this chapter:

"AAMVA" means American Association of Motor Vehicle Administrators.

"Committee" means the statewide driver's license reciprocity committee.

"Department" means the state department of transportation.

"Director" means the director of transportation or his or her authorized representative.

"Driver license examination standards" means the knowledge and practical criteria a person must meet prior to being issued a State driver's license.

"Practical examination" means a driving test that is designed to measure an applicant's ability to safely maneuver a motor vehicle in a variety of actual traffic conditions that are representative of the day-to-day requirements of licensed drivers who use the public roads.

"Recognized agency" means a United States driver licensing agency or AAMVA.

"Requesting foreign country" means a country outside of the jurisdiction of the U.S.A. that petitions a driver license reciprocity.

"State" means the State of Hawaii.

"Written knowledge examination" means a test in printed format to determine the extent of a person's cognizance of laws, ordinances, rules and practices relating to the safe operation of a motor vehicle on public roads. [Eff _____] (Auth: HRS §286-11)(Imp: HRS §286-11)

§19-148-3 Statewide driver's license reciprocity
committee. (a) The director shall establish a
statewide driver's license reciprocity committee
("committee").

(b) The committee shall:

(1) Consist of:

(A) One representative from the department of transportation; and

(B) The chief examiner of drivers of each county, or their designees.

(2) Convene whenever a foreign country makes a request for driver's license reciprocity.

(3) Evaluate the knowledge and practical examination requirements of the foreign

country requesting a driver's license reciprocity.

(c) Members of the committee shall serve on a voluntary basis without compensation, but shall be paid reasonable allowances for travel and expenses that may be incurred as a result of the performance of their duties on the committee. [Eff]
(Auth: HRS §286-11) (Imp: HRS §286-11)

§19-148-4 Foreign countries with an evaluation from a recognized agency. If the requesting foreign country is able to provide an evaluation of its driver's license requirements prepared by another United States driver licensing agency or the American Association of Motor Vehicle Administrators, the committee shall:

- (1) Conduct a review of the evaluation made by the recognized agency and compare Hawaii's standards with those of the state for which the evaluation was made; and
- (2) Submit a written recommendation to the legislature no later than twenty days prior to the convening of the regular legislative session immediately subsequent to the review. [Eff] (Auth: HRS §286-11) (Imp: HRS §286-11)

§19-148-5 Foreign countries without an evaluation by a recognized agency. (a) If the requesting foreign country does not have an evaluation as specified in section 19-148-4, the director may select from the committee a representative of the:

- (1) Department of transportation; and
 - (2) County examiner of drivers.
- (b) These two representatives shall:
- (1) Travel to the requesting foreign country at the expense of the requesting foreign country;
 - (2) Inspect and examine the foreign country's driver's licensing program; and
 - (3) Advise the committee of their findings.
- (c) The committee shall review the findings and submit a written recommendation to the legislature on

whether the foreign country's driver's license examination standards correspond to Hawaii's driver's license examination standards.

(d) The written recommendation shall be submitted no later than twenty days prior to the convening of the regular legislative session immediately subsequent to the travel and evaluation by the committee. [Eff] (Auth: HRS §286-11) (Imp: HRS §286-11)

§19-148-6 Severability. The provisions of this chapter are declared to be severable and if any portion or the application thereof to any person or property is held invalid for any reason, the validity of the remainder of this chapter shall not be affected." [Eff] (Auth: HRS §286-11) (Imp: HRS §286-11)

2. The adoption of chapter 19-148, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format, pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on , and filed with the Office of the Lieutenant Governor.

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APPROVED AS TO FORM:

DEPUTY ATTORNEY GENERAL